

## ELECTORS DECIDE PRESIDENCY TODAY IN OLD CEREMONY

Harding and Coolidge Will  
Be Declared Choice at  
Every State Capital.

SENATE TO ACT LATER

Vice-President Marshall's  
Criticism of System Cre-  
ates New Interest.

COULD SELECT E. V. DEBS

Method Now in Vogue Places  
No Legal Restraint on Elec-  
toral College.

Special Despatch to THE NEW YORK HERALD.

New York Herald Bureau,  
Washington, D. C., Jan. 9.

To-morrow the meeting of the Electoral College will officially decide the election for President and Vice-President of the United States for the ensuing four years. Interest is accentuated in the meeting because of the statement made by Vice-President Marshall in an interview in the New York Herald yesterday advising a return to the system in the minds of the framers of the Constitution. The Presidential electors comprising the body popularly known as the Electoral College will meet to-morrow in every State capital within the Union, casting their votes for President and Vice-President.

While the result is anticipated, there is no legal obligation resting upon the electors, and if they choose to vote for Eugene V. Debs or any other man, their decision would be binding.

In spite of this constitutional uncertainty, President-elect Harding will probably go right ahead making up his cabinet and preparing for the four years that are ahead of him in the White House.

The change in the method of electing Presidents resulting in making the report of the Electoral College a mere form, in the outstanding ex-  
amples of how a written and immutable Constitution may be changed by custom and without formal direction on the part of the voters.

Old Ceremony to Prevail.

Whether Mr. Marshall is in earnest in advising a return to the original plan on electing a President which the Constitution framers had in mind, or whether the Constitution still directs, there is no doubt of his sincerity in believing the tendency towards direct democracy in the United States is too marked. The Vice-President and those who agree with him believe that the best governmental results can be obtained by the system of delegated and representative authority. The direct election of Presidents which now prevails is to them an outgrowth of the direct democracy tendency.

In spite of the Vice-President's objection to the system, he will participate in the ceremony of February 9, when the members of the Senate, headed by the Sergeant-at-Arms, will march to the Chamber of the House of Representatives. Behind the Sergeant-at-Arms will march two parades carrying the boxes containing the vote cast by the members of the Electoral College. The Vice-President will preside and will superintend the opening of the boxes and the counting of the ballots by tellers.

Not as Hamilton Planned.

The exemplification of the change in method of electing Presidents that came about since the time of George Washington probably would shock Alexander Hamilton, who took great pride in the method that was worked out. Throughout all of the sessions of the convention which framed the Constitution, Hamilton stood out against so-called "pure democracy" and insisted upon a representative form of Government. It is a singular fact that even the name of the archaic system which will commence to work to-morrow and will complete its work February 9, was not provided in the Constitution. Its similarity to the College of Cardinals which elects the Pope, probably resulted in the name it has acquired—the Electoral College.

Under the system worked out by Hamilton and others the Presidential electors were to be the representatives of persons of their State from whose activities should result the election of the best man in the country, free from partisan taint and not the creature of party.

The system worked out by the framers of the Constitution prevailed in the election of George Washington, but following him parties began to rear their heads and the people decided they would elect their own Presidents, and they have done so ever since.

History of the Changes.

The third election of a President marked the beginning of this fundamental change in the Constitution. While the electors were chosen as usual, it was understood they would vote either for John Adams or Thomas Jefferson. In 1800 the change had become distinct. The two parties of the day put forth their candidates and the electors were chosen with the distinct understanding they were to record their votes in accordance with the popular verdict. The electors had ceased to think or to deliberate. They had become mere automata.

It still remains with the State legis-

latures to direct the manner in which the electors shall be chosen and how they shall record their votes within the limitations of the Constitution. The Constitution provides the number which shall coincide with the States' representation in the two branches of Congress.

Aaron Burr may claim credit for having brought about a change. The Constitution originally provided that the electors should vote for two persons. It was the intention that the one receiving the highest vote should be President and the next highest should be Vice-President. Jefferson and Burr tied and both represented the same political party. It had been the evident intention of the voters that Jefferson should be President and Burr Vice-President.

In accordance with the provisions of the Constitution, the House decided the tie vote, making Jefferson the President.

The Hayes-Tilden Controversy.

In view of the possibility of a repetition of this situation, the 17th Amendment was voted, which provided the States shall "name in their ballots the person voted for as President and in distinct ballots the person voted for as Vice-President."

In the event that no candidate receives a majority of votes the House retains the constitutional provision of electing the President, making the choice from among the three candidates receiving the highest number of electoral votes, the vote being by States, the delegations deciding how the single vote of the State shall be cast. In the event of a tie for Vice-President or failure to secure a majority, the Senate of the United States makes the selection. Thomas Jefferson and John Quincy Adams were the only Presidents selected in this manner.

The Hayes-Tilden controversy when the election result was long in doubt resulted in another change in the method of electing Presidents. In that case two different sets of electors claimed to represent their States. The particular result was settled by an electoral commission, but Congress awoke to the fact that in the case of different sets of electors there was no power either in Congress or in the States to determine which set was entitled to have its vote counted. Congress passed a statute in 1887 providing that the respective States should decide in case of disputes, through their laws and courts, which set of electors had been properly chosen.

## APPEAL FOR VETERANS TO GO TO COOLIDGE

National Legion Seeks Care  
for Disabled Ones.

BOSTON, Jan. 9.—A memorial drawn up by the national officers of the American Legion and proposing measures for the better care of disabled veterans of the world war will be presented to Vice-President-elect Coolidge at Northampton to-morrow by officers of the Massachusetts department of the legion. The same memorial is to be presented to-morrow to President-elect Harding, President-elect Marshall, and members of Congress.

Accompanying the memorial will be a letter from National Commander F. W. Galbraith, Jr., to the Vice-President-elect, which was made public to-night. In this letter Mr. Galbraith says the principal recommendations of the memorial are:

"Basic legislation which shall consolidate in one agency the functions of the various independent bureaus now dealing with the problems of care, treatment and compensation. Appropriation of funds to be placed at the disposal of the unified organization in an amount which shall enable it to acquire, operate and maintain hospitals sufficient to receive and prevent a recurrence of the present situation."

DEMANDS SLACKERS' NAMES BE PUBLISHED

Legion Chief Asks Action  
From House Committee.

F. W. Galbraith, Jr., national commander of the American Legion, has asked for a Congressional investigation into "the mysterious silence" which invests the war slacker situation," according to an announcement yesterday by the legion news service. In a letter to Representative Volstead, chairman of the House Judiciary Committee, he asks that body to call before it Secretary Baker and Attorney-General Palmer to tell why the list of slackers and draft evaders has not been published, as it was announced at one time it would be.

Mr. Galbraith called attention to the legion's efforts to bring about the publication of the list, and said the delay had proved most exasperating. He continued:

"It is unfair to the millions who served, an affront to the thousands who are still paying the price of the victory, a betrayal of our heroic dead and an insult to those who mourn them that a single known slacker should without retribution enjoy the blessings of a national liberty he lacked the manhood to defend."

HUNTING DOGS NEAR  
PEEKSKILL POISONED

Animals Belonged to Resi-  
dents of Society Colony.

Special Despatch to THE NEW YORK HERALD.

PEEKSKILL, Jan. 9.—Owners of hunting dogs among the residents of the society colony near Peekskill reported to the sheriff to-day that at least twenty of the finest animals have been poisoned.

In most cases the poison was placed on meat which was thrown into the kennel yards.

It is believed that the person who has caused the death of the dogs is opposed to hunting them in the vicinity. This may give a clue to his identity, it was said.

Stuyvesant Fish, whose home is in Continentville, suggested that the sheriff's office be notified. He recalled that scores of fine animals were destroyed in the vicinity several years ago.

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## HARDING PLURALITY OVER SEVEN MILLION

Official Report of States Gave  
Largest Margin in Na-  
tion's History.

Senator Harding's exact plurality over  
Gov. Cox in the Presidential election of  
last November was 7,001,763, accord-  
ing to compilations from the official  
reports of the various State election  
canvassing boards made public yester-  
day by the Associated Press. That is  
the largest plurality ever given for a  
candidate.

The total popular vote for Senator Harding was 16,141,629, or within approximately 2,000,000 of the total popular vote for all candidates in 1916. Cox got 9,139,866. The vote for other Presidential candidates was:

Debs, Socialist, 3,148,891; Watkins, Prohibitionist, 187,470; Christensen, Farmer-Labor, 252,435; Cox, Socialist-Labor, 42,950; Macaulay, Single Tax, 5,747. In Texas the American party polled 47,495, while the Black and Tan received 27,847.

The total popular vote cast was 36,759,708, as against a total of 18,116,340 cast in 1916, the difference being made up largely by women voters.

The table published herewith does not include the soldier and sailor vote for New York. The total for this State, including the soldier and sailor vote, was 1,871,167 for Harding and 781,233 for Cox.

The figures for Senator Harding and Gov. Cox, with the exception of Penn-  
sylvania, whose figures here are unofficial, reported by the State canvassing boards, follow:

	Harding (1920)	Cox (1916)
Alabama	74,690	143,234
Arizona	37,016	29,546
Arkansas	66,802	105,084
California	924,992	129,119
Colorado	173,248	104,890
Connecticut	229,238	150,721
Delaware	62,806	38,868
Florida	44,835	99,513
Georgia	41,089	107,172
Idaho	84,831	49,576
Illinois	1,430,480	1,034,791
Indiana	606,370	611,664
Iowa	834,074	227,921
Kansas	369,298	185,464
Kentucky	432,480	630,497
Louisiana	38,588	87,519
Maine	23,191	30,447
Maryland	230,117	180,629
Massachusetts	681,153	276,681
Michigan	782,803	538,460
Minnesota	618,421	145,504
Mississippi	11,243	60,211
Missouri	727,182	574,799
Montana	109,420	55,334
Nebraska	251,663	119,208
Nevada	13,432	8,803
New Hampshire	83,194	56,639
New Jersey	611,541	236,887
New Mexico	57,634	46,071
New York	1,868,811	788,774
North Carolina	232,848	303,447
North Dakota	106,072	37,424
Ohio	1,192,762	780,657
Oklahoma	243,415	215,531
Ore.	141,360	181,967
Pennsylvania	1,218,215	608,202
Rhode Island	107,463	35,002
South Carolina	85,503	109,602
South Dakota	106,574	35,958
Tennessee	219,770	314,770
Texas	114,869	286,787
Utah	81,532	56,639
Vermont	20,819	20,819
Virginia	87,438	141,709
Washington	228,187	119,208
West Virginia	282,007	280,780
Wisconsin	408,576	115,422
Wyoming	30,091	11,439
Totals	16,141,629	9,139,866

## CARDINAL FAVORS MEMORIAL TO RUTH

Indorses Proposal to Honor  
'King of Swat.'

Approval of the proposed "Babe Ruth Memorial Building" to be erected at a cost of \$2,000,000 at St. Mary's Industrial School, Baltimore, Md., where the baseball player went to school, was expressed yesterday in a letter from Cardinal Gibbons, which was read at the meeting of the Knights of Columbus in the Waldorf.

The head of the institution, Brother Paul of the Xaverian Brothers, told the board that while Cardinal Gibbons was seriously ill, he said he was not interested in a memorial for himself, but would like one for "Babe" Ruth. The board granted the request that the school be allowed to appeal the council all over the country for funds.

"The unparalleled work which the Knights of Columbus accomplished in war days and since," said the letter, "and which I have no doubt will be down in American church history as its brightest page, probably makes you the target of money schemes of every description. But I feel and have confidence that you will agree that the cause of St. Mary's is the unique."

"I do not presume to ask the supreme council to 'adopt' St. Mary's; I do ask that the supreme council place its approval to the request of the Chapter of Maryland Grand Knights, that they be allowed to invite the councils outside of Maryland to join in a national testimonial to Babe Ruth. I have confidence that such an invitation without pressure, without assent, without begging, will strike a responsive chord of many a council in the country."

Col. Fred W. Galbraith, Jr., head of the American Legion, told James A. Flaherty, Supreme Knight, that the executive committee of the legion would meet in Washington February 2 and decide whether to accept the offer of the Knights of Columbus to put up a \$5,000,000 memorial building.

The meeting of the supreme board of directors will close this afternoon.

Resolution to End Waste.

He has resolved upon ways and means of ending the waste in Government departments and of clearing out of Washington thousands of useless employees. And he has labored for more than four weeks at the difficult and vexatious task of cabinet building. In this he has not made the progress that he had anticipated because of the conflicts that developed regarding four or five posts, the Attorney-Generalship, the master-Generalship and the Department of Labor, Agriculture and the Interior. As a result of all the cabinet labor, it is believed that only one invitation has been issued, that having been to Charles E. Hughes for Secretary of State.

The President-elect has given his approval to an idea put before him by the twenty-four Presidential electors of Ohio. These men who called on him last night can find no record of the Electoral College ever having been assembled, and they suggested to the President-elect that a worth while and historic feature of the inauguration would be the assembling at Washington of the Presidential electors.

In each State the electors chosen at the November election are required to meet at the State capital on the second Monday of January ensuing. They organize and proceed to cast their ballots for President and Vice-President. The certification of the result is made in triplicate. One copy is required to be forwarded by mail to the president of the Senate at Washington; another is forwarded by messenger to the President of the Senate, this messenger being one of the electors, chosen by whatever method the electors in each State may adopt; in many cases it is done by lot. The third copy of the certification is required to be filed with the United States judge whose jurisdiction includes the State capital.

On the second Wednesday in February the Senate and House at Washington meet in joint session to canvass returns. There is no provision in the Federal Constitution or law whereby the electors representing all the States are required to meet together at any time. Inquiry by the Ohio electors convinced

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